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MICROSOFT CORPORATION			LIN, SHEW FEN	
ONE MICROSOFT WAY				
REDMOND, WA 98052			ART UNIT	PAPER NUMBER
			2166	
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			05/01/2009	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/607,054	PRABU ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	SHEW-FEN LIN	2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 22 January 2009.

2a) This action is **FINAL**.                    2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-43 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-43 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.

4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.

5) Notice of Informal Patent Application

6) Other: \_\_\_\_\_.

**DETAILED ACTION**

- a. This action is taken to response to remarks and amendments filed on 1/22/2009.
- b. Claims 1-43 are pending. Claims 1, 13, 22, 27, 36, and 39 are independent claims.

***Response to Amendments***

In view of amendments, Examiner hereby withdraw objections to claims 2 and 14; 35 U.S.C. § 101 rejections to claims 1-43; and U.S.C. § 112, second paragraph, rejections to claims 36-38.

***Response to Remarks***

Applicant's arguments with respect to claims 1-43 have been considered but are moot in view of the new ground(s) of rejection 8.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-4, 6-8, 13, 15-18, 20, 22-24, 26-27, 29-34, 36-37 and 39-43 are rejected under 35 U.S.C. 102(a) as being anticipated by HP Blade Server BH Series Operating System Guide, July 2002, Hewlett-Packard, hereafter “BladeOS”.

**As per claim 1**, BladeOS discloses a method, implemented in a device, the method comprising (Page 9, Overview: Microsoft Windows 2000 is installed on a blade server using a remote installation server):

obtaining a task sequence at the device that describes a set of one or more steps to be carried out in managing an additional device (Pages 44-53, steps 1-19 are the task sequence at the Remote Install Server, RIS, describing and performing installation of Windows 2000 Adv Server operating system to the blade server);

generating a job tree at the device representing the set of one or more steps, the set of one or more steps comprising at least one of (Pages 44-53, steps 1-19 are the job tree being performed sequentially at the RIS):

configuring firmware of the additional device (Page 53, step 13 configures BIOS of the blade server);

downloading an operating system to the additional device (Page 52, step 12 completes downloading an Operating System to the blade server, from RIS);

rebooting the additional device (Page 52, step 12 completes downloading an Operating System to the blade server, from RIS, and rebooting the blade server); or

configuring the operating system of the additional device (Page 52, steps 11 and 12 configure the operating system of the blade server by formatting its hard disk and downloading an operating system onto the disk); and

sending one or more commands configured to carry out the set of one or more steps in accordance with the job tree (Page 54, step 16 sends commands to blade server for carrying out Service Pack installation).

**As per claim 2**, BladeOS discloses the method as recited in claim 1, wherein the set of one or more steps includes steps for automatically deploying an operating system on the additional device (Page 52, step 12 deploys an operating system on the blade server).

**As per claim 3**, BladeOS discloses the method as recited in claim 1, wherein carrying out the set of one or more steps comprises:

carrying out the remaining steps of the set of one or more steps only if the first step is completed successfully (Page 44, connecting RIS to the same network as the blade server is on for making possible of performing the rest of steps for a remote installation of operating system from RIS to blade server).

**As per claim 4**, BladeOS discloses the method as recited in claim 1, wherein carrying out the set of one or more steps causes the device to have firmware on the additional device configured (Page 53, step 13 configures BIOS of the blade server) and an operating system to be deployed on the additional device (Page 52, step 12 deploys an operating system on the blade server).

**As per claim 6,** BladeOS discloses the method as recited in claim 1, wherein one of the steps comprises another task sequence (Page 52, step 12 downloads operating system which comprises sequence of rebooting the blade server).

**As per claim 7,** BladeOS discloses the method as recited in claim 1, wherein one of the steps comprises an operation to be performed (52, step 12 downloads operating system which comprises the operation of rebooting the blade server to be performed).

**As per claim 8,** BladeOS discloses the method as recited in claim 1, wherein the job tree comprises a parent node corresponding to the job and one or more child nodes (Pages 44-54 where step 1 is the parent node of a tree of sequential step nodes for installation of an operating system on the blade server from RIS), wherein each child node corresponds to one of the one or more steps (Pages 44-54 where a tree of sequential step nodes for installation of an operating system on the blade server from RIS in which each step is a child node of its preceding step).

As per claim 13, is directed to a computer readable medium carrying instructions for performing the methods of claim 1 therefore rejected along the same rationale.

As per claim 15, is directed to a computer readable medium carrying instructions for performing the methods of claim 2 therefore rejected along the same rationale.

As per claim **16**, is directed to a computer readable medium carrying instructions for performing the methods of claim 3 therefore rejected along the same rationale.

As per claim **17**, is directed to a computer readable medium carrying instructions for performing the methods of claim 6 therefore rejected along the same rationale.

As per claim **18**, is directed to a computer readable medium carrying instructions for performing the methods of claim 7 therefore rejected along the same rationale.

As per claim **20**, is directed to a computer readable medium carrying instructions for performing the methods of claim 8 therefore rejected along the same rationale.

**As per claim 22**, BladeOS discloses a method, implemented in a device, the method comprising (Page 9, Overview: Microsoft Windows 2000 is installed on a blade server using a remote installation server):

obtaining a user-defined task sequence at the device that describes an action to be carried out in managing an additional device (Pages 44-53, steps 1-19 are the task sequence at the Remote Install Server, RIS, describing and performing installation of Windows 2000 Adv Server operating system to the blade server);

converting, at the device, the user-defined task sequence to a set of one or more steps of a job to be carried out in managing the additional device, the set of one or more steps comprising at least

one of (Pages 44-53, steps 1-19 are the job tree being performed sequentially at the RIS and Page 49 the steps are being converted into a client installation wizard to perform the steps):

configuring firmware of the additional device (Page 53, step 13 configures BIOS of the blade server);

downloading an operating system to the additional device (Page 52, step 12 completes downloading an Operating System to the blade server, from RIS);

rebooting the additional device (Page 52, step 12 completes downloading an Operating System to the blade server, from RIS, and rebooting the blade server); or

configuring the operating system of the additional device (Page 52, steps 11 and 12 configure the operating system of the blade server by formatting its hard disk and downloading an operating system onto the disk); and

sending one or more commands configured to carry out the one or more steps of the job (Page 54, step 16 sends commands to blade server for carrying out Service Pack installation).

As per claim **23**, has the same subject matter as of claim 2 and as such rejected under the same rationale.

As per claim **24**, has the same subject matter as of claim 3 and as such rejected under the same rationale.

As per claim **26**, has the same subject matter as of claim 8 and as such rejected under the same rationale.

As per claim **27**, is directed to a computer readable medium carrying instructions for performing the methods of claim 1 therefore rejected along the same rationale.

As per claim **29**, BladeOS discloses the one or more computer readable media as recited in claim 27, wherein the job representation comprises a tree having a plurality of nodes (Pages 44-54, steps 1-19 is a tree of sequential step nodes for installation of an operating system on the blade server from RIS), wherein each of the one or more elements for each step is represented by one of the plurality of nodes (Pages 44-54 where a tree of sequential step nodes for installation of an operating system on the blade server from RIS in which each step is a child node of its preceding step).

As per claim **30**, BladeOS discloses the one or more computer readable media as recited in claim 29, wherein the job representation includes a one to one corresponding of elements to steps (Pages 44-54 where a tree of sequential step nodes for installation of an operating system on the blade server from RIS in which each step maps one to one corresponding a task being performed).

As per claim **31**, is directed to a computer readable medium carrying instructions for performing the methods of claim 2 therefore rejected along the same rationale.

As per claim **32**, is directed to a computer readable medium carrying instructions for performing the methods of claim 3 therefore rejected along the same rationale.

As per claim 33, is directed to a computer readable medium carrying instructions for performing the methods of claim 6 therefore rejected along the same rationale.

As per claim 34, is directed to a computer readable medium carrying instructions for performing the methods of claim 7 therefore rejected along the same rationale.

**As per claim 36,** is directed to a system claim carrying instructions for performing the methods of claim 1 and is rejected along the same rationale.

**As per claim 37,** is directed to a system claim carrying instructions for performing the methods of claim 2 and is rejected along the same rationale.

**As per claim 39,** BladeOS discloses a system comprising (Page 9, the RIS, blade server and LAN form a system):

a controller, configured to be implemented at least in part by at least one of one or more processors to obtain a task sequence that describes one or more steps to be performed on a remote device, and to generate a job representation of the one or more steps, the one or more steps (Pages 9 and 52, network interface cards connect RIS and blade server on the same sub-domain of network and Pages 44-53, steps 1-19 the Remote Install Server obtains and generates a task sequence describing and performing installation of Windows 2000 Adv Server operating system to the blade server) comprising at least one of:

configuring firmware of the additional device (Page 53, step 13 configures BIOS of the blade server);

downloading an operating system to the additional device (Page 52, step 12 completes downloading an Operating System to the blade server, from RIS);

rebooting the additional device (Page 52, step 12 completes downloading an Operating System to the blade server, from RIS, and rebooting the blade server); or

configuring the operating system of the additional device (Page 52, steps 11 and 12 configure the operating system of the blade server by formatting its hard disk and downloading an operating system onto the disk); and

a network boot service, configured to be implemented at least in part by at least one of the one or more processors to detect when the remote device is coupled to a network that the system is also coupled to, and to communicate with the controller to determine which of the steps of the job representation are to be carried out in response to the detection (Pages 9, 44 and 48-49 a Remote Install Server and a blade server are connected to the same network to communicate each other, a network boot option is selected to boot an operating system remotely).

**As per claim 40,** BladeOS discloses the system as recited in claim 39, wherein the one or more steps includes steps for automatically deploying an operating system on the remote device (Page 52, step 12 deploys an operating system on the blade server).

**As per claim 41,** BladeOS discloses the system as recited in claim 39, wherein one of the steps comprises another task sequence (Page 52, step 12 downloads operating system which

comprises sequence of rebooting the blade server).

**As per claim 42**, BladeOS discloses the system as recited in claim 39, wherein one of the steps comprises an operation to be performed on the remote device (Page 50, user logs in Remote Install Server for operation of operation system downloading).

**As per claim 43**, BladeOS discloses the system as recited in claim 39, wherein the job representation comprises a tree having a plurality of nodes, and wherein each of the one or more steps is represented by one of the plurality of nodes (Pages 44-54 where a tree of sequential step nodes for installation of an operating system on the blade server from RIS in which each step is a child node of its preceding step).

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out

the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 5 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over HP Blade Server BH Series Operating System Guide, July 2002, Hewlett-Packard, hereafter “BladeOS”, as applied to claims 1 and 13 above, and further in view of Hsieh et al. (US Patent Publication 2002/0191014)

As per claim 5, BladeOS discloses the method as recited in claim 1, but does not explicitly disclose wherein the task sequence is part of an Extensible Markup Language (XML) file.

Hsieh discloses the task sequence is part of an Extensible Markup Language (XML) file (paragraph 0044, the user interface 40 communicates with the gateway 38, which converts messages into the appropriate format. For instance, the gateway can convert SQL data messages from the database 32 into an XML (Extensible Markup Language) format which the user interface 40 then processes into a presentation format for display to the user).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the teachings of BladeOS with the teachings Hsieh to communicate with device using XML format and, as a part of additional administration tasks need to be done so the blade server works well in the environment (See Page 54, step 19).

As per claim **14**, is directed to a computer readable medium carrying instructions for performing the methods of claim 5 therefore rejected along the same rationale.

Claims 9-12, 19, 21, 25, 28, 35 and 38 are rejected under 35 U.S.C. 103(a) as being unpatentable over HP Blade Server BH Series Operating System Guide, July 2002, Hewlett-Packard, hereafter “BladeOS”, as applied to claims 1, 13, 22, 27 and 36 above, and further in view of Maddocks et al. (US 2002/0124245, hereinafter Maddocks)

**As per claim 9**, BladeOS discloses the method as recited in claim 1, but does not explicitly disclose wherein the set of one or more steps described in the task sequence are to be carried out in managing a plurality of other devices concurrently.

Maddocks discloses wherein the set of one or more steps described in the task sequence are to be carried out in managing a plurality of other devices concurrently (Fig. 2, device 1, device 2).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify the teachings of BladeOS with the teachings of Maddocks to perform remote installation of operating system concurrently on a plurality of blade servers to achieve cost effective and time saving for getting a network of blade servers operational.

**As per claim 10**, Maddocks discloses the method as recited in claim 1, wherein the task sequence comprises a user-defined task sequence (Fig. 3, col. 3, lines 11-19).

As per claim **11**, Maddocks discloses the method as recited in claim 1, wherein the task sequence comprises a user-selected task sequence (Fig. 3, col. 3, lines 11-19, 49, selected by the user).

As per claim **12**, Maddocks discloses the method as recited in claim 1, further comprising recording the set of one or more steps in a log (Fig. 6, col. 1, lines 29-31, col. 5, lines 24-26).

As per claim **19**, is directed to a computer readable medium carrying instructions for performing the methods of claim 9 therefore rejected along the same rationale.

As per claim **21**, is directed to a computer readable medium carrying instructions for performing the methods of claim 12 therefore rejected along the same rationale.

As per claim **25**, has the same subject matter as of claim 9 and as such rejected under the same rationale.

As per claim **28**, is directed to a computer readable medium carrying instructions for performing the methods of claim 10 therefore rejected along the same rationale.

As per claim **35**, is directed to a computer readable medium carrying instructions for performing the methods of claim 9 therefore rejected along the same rationale.

**As per claim 38,** is directed to a system claim carrying instructions for performing the methods of claim 9 and is rejected along the same rationale.

***Conclusion***

Applicant's amendment necessitated the new grounds of rejection presented in this Office Action. Accordingly, **THIS ACTION IS MADE FINAL**. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Contact Information***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shew-Fen Lin whose telephone number is 571-272-2672. The examiner can normally be reached on 8:30AM - 5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on 571-272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Shew-Fen Lin /S. L./  
Examiner, Art Unit 2166  
April 25, 2009

/Hosain T Alam/  
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